

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAYMOND THOMPSON,

Plaintiff,

v.

JIMMINEZ, et al.,

Defendant.

No. 1:21-cv-0165 JLT HBK (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING THE
ACTION WITHOUT PREJUDICE, AND
DIRECTING THE CLERK OF COURT TO
CLOSE THE CASE**

(Doc. 15)

Raymond Thompson filed this action under 42 U.S.C. § 1983, seeking to hold several individuals employed at Kern Valley State Prison liable for violations of his civil rights. (Doc. 1.) The magistrate judge screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A(a) and determined Plaintiff did not stage a cognizable claim. (Doc. 15 at 4-8.) Plaintiff was granted the opportunity to file an amended complaint, and informed he may also choose to file a notice of voluntary dismissal. (*Id.* at 9-10.) Plaintiff was informed that if he failed to timely respond in any way to the Court's order, the magistrate judge would recommend the action be dismissed. (*Id.* at 10.)

After Plaintiff failed to respond to the Order, the magistrate judge found Plaintiff failed to comply with the Screening Order and failed to prosecute the action. (Doc. 15 at 3-5.) Therefore, the magistrate judge recommended the action be dismissed without prejudice. (*Id.* at 5.) The Court served the Findings and Recommendations on Plaintiff and notified him that any objections

1 were due within 14 days. (*Id.*) The Court advised Plaintiff that the “failure to file objections
2 within the specified time may result in waiver of his rights on appeal.” (*Id.*, citing *Wilkerson v.*
3 *Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to
4 do so has passed.

5 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this
6 case. Having carefully reviewed the entire matter, the Court concludes the Findings and
7 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 8 1. The Findings and Recommendations dated January 2, 2024 (Doc. 15) are
9 **ADOPTED** in full.
- 10 2. The action is **DISMISSED** without prejudice for Plaintiff’s failure to obey the
11 Court’s order and failure to prosecute.
- 12 3. The Clerk of Court shall close this case.

13
14 IT IS SO ORDERED.

15 Dated: **February 8, 2024**


UNITED STATES DISTRICT JUDGE